Received By: phurley

# 2009 DRAFTING REQUEST

# Bill

Received: 03/02/2009

Wanted:	As time perm	its			Identical to LRB:			
For: <b>Mar</b>	lin Schneider	(608) 266-021	5		By/Representing:			
This file 1	may be shown	to any legislate	or: <b>NO</b>		Drafter: phurley			
May Con	tact:				Addl. Drafters:			
Subject:	Courts Public I	- miscellaneous Records	s		Extra Copies:			
Submit vi	ia email: YES							
Requester	r's email:	Rep.Schnei	ider@legis.w	isconsin.go	v			
Carbon co	opy (CC:) to:							
Pre Topi	ic:							
No specif	ic pre topic gi	ven						
Topic:							<del></del>	
CCAP co	mbination bill							
Instructi	ons:							
Combine	09-1393/1 and	d 09-1169/1						
 Drafting	History:				***************************************			
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	Jacketed	Required	
/?	phurley 03/04/2009	bkraft 03/10/2009					S&L	
/1	phurley 04/17/2009	bkraft 04/21/2009	rschluet 04/21/2009	)	lparisi 04/21/2009		S&L	
/2	phurley 05/06/2009 phurley 05/07/2009	kfollett 05/07/2009 bkraft 05/08/2009	jfrantze 05/08/2009		cduerst 05/08/2009	sbasford 05/08/2009	S&L	

**LRB-2267** 05/20/2009 11:14:38 AM Page 2

Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/3	phurley 05/16/2009 phurley 05/19/2009	bkraft 05/19/2009 bkraft 05/19/2009	mduchek 05/20/2009	)	sbasford 05/20/2009	sbasford 05/20/2009	
FE Sent F	for: "13" @	) intro. 7	18/09	<end></end>			

Received By: phurley

# 2009 DRAFTING REQUEST

## Bill

Received: 03/02/2009

Wanted: A	As time perm	its			Identical to LRB:		
For: <b>Mar</b> l	lin Schneider	(608) 266-021:	5		By/Representing:		
This file r	nay be shown	to any legislator	r: <b>NO</b>		Drafter: phurley		
May Cont	act:				Addl. Drafters:		
Subject:	Courts - Public I	- miscellaneous Records			Extra Copies:		
Submit vi	a email: YES						
Requester	's email:	Rep.Schnei	der@legis.v	visconsin.go	v		
Carbon co	opy (CC:) to:						
Pre Topi	<b>c:</b>						
No specif	ic pre topic gi	ven					
Topic:							
CCAP co	mbination bill						
Instructi	ons:						
Combine	09-1393/1 and	1 09-1169/1					
Drafting	History:	· · · · · · · · · · · · · · · · · · ·					
Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	<u>Proofed</u>	Submitted	Jacketed	Required
?	phurley 03/04/2009	bkraft 03/10/2009					S&L
'1	phurley 04/17/2009	bkraft 04/21/2009	rschluet 04/21/2009	)	lparisi 04/21/2009		S&L
72	phurley 05/06/2009 phurley 05/07/2009	kfollett 05/07/2009 bkraft 05/08/2009	jfrantze 05/08/2009	3 19	cduerst 05/08/2009 PS PV+ 5/20	sbasford 05/08/2009	

**LRB-2267** 05/08/2009 01:45:26 PM Page 2

<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

13 bjk 5/19

FE Sent For:

<END>

Received By: phurley

# 2009 DRAFTING REQUEST

# Bill

Received: 03/02/2009

Wanted: As time permits				Identical to LRB:			
For: Marlin Schneider (608) 266-0215				By/Representing:			
This file n	nay be shown	to any legislator	:: NO		Drafter: phurley		
May Cont	act:				Addl. Drafters:		
Subject:	Courts - Public F	· miscellaneous Records			Extra Copies:		
Submit vi	a email: YES						
Requester	's email:	Rep.Schneid	der@legis.w	visconsin.gov	v		
Carbon co	opy (CC:) to:						
Pre Topic	c:		464			·	in the state of th
No specifi	ic pre topic giv	ven					
Topic:		A CONTRACTOR OF THE CONTRACTOR					
CCAP con	nbination bill						
Instruction	ons:						
Combine	09-1393/1 and	109-1169/1					
Drafting	History:					<del>, , , , , , , , , , , , , , , , , , , </del>	. ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	phurley 03/04/2009	bkraft 03/10/2009					S&L
/1	phurley 04/17/2009	bkraft 04/21/2009	rschluet 04/21/2009	)	lparisi 04/21/2009		S&L
/2	phurley 05/06/2009 phurley 05/07/2009	kfollett 05/07/2009 bkraft 05/08/2009	jfrantze 05/08/2009	)	cduerst 05/08/2009		

LRB-2267 05/08/2009 10:09:15 AM Page 2

**Drafted** Reviewed **Typed Proofed Submitted** Vers. **Jacketed** Required

FE Sent For:

**<END>** 

# 2009 DRAFTING REQUEST

Bill

Received: 03/02/2009				Received By: phurley				
Wanted: As time permits					Identical to LRB:			
For: Mar	lin Schneider	(608) 266-021	5		By/Representing:			
This file r	nay be shown	to any legislato	r: NO		Drafter: phurley			
May Cont	tact:		Addl. Drafters:					
Subject:	Courts - Public I	· miscellaneous Records			Extra Copies:			
Submit vi	a email: YES							
Requester	's email:	Rep.Schnei	der@legis.v	visconsin.gov	ÿ			
Carbon co	opy (CC:) to:							
Pre Topi	<b>c:</b>							
No specif	ic pre topic gi	ven						
Topic:				***************************************				
CCAP co	mbination bill							
Instructi	ons:			····				
Combine	09-1393/1 and	1 09-1169/1						
Drafting	History:							
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	phurley 03/04/2009	bkraft 03/10/2009					S&L	
/1	phurley 04/17/2009	bkraft 04/21/2009	rschluet 04/21/2009	)	lparisi 04/21/2009			
FE Sent F	or:	12 bjt 5/8	518	5) 6 <end></end>				

# 2009 DRAFTING REQUEST

Bill

By: p	hurley
	By: r

Wanted: As time permits Identical to LRB:

For: Marlin Schneider (608) 266-0215 By/Representing:

This file may be shown to any legislator: **NO**Drafter: **phurley** 

May Contact: Addl. Drafters:

Subject: Courts - miscellaneous Extra Copies:

Public Records

Submit via email: YES

Requester's email: Rep.Schneider@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

CCAP combination bill

**Instructions:** 

Combine 09-1393/1 and 09-1169/1

**Drafting History:** 

Vers. <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> / <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

/? phurley 1 bik 1/21

FE Sent For:



# State of Misconsin 2009 - 2010 LEGISLATURE

LRB-2267/1 PJH:...:... bjk

# 2009 BILL



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AN ACT ...; relating to: restricting access to and limiting information contained in the Consolidated Court Automation Programs.

## Analysis by the Legislative Reference Bureau

**INSERT ANALYSIS 1** 

The bill also limits unrestricted access to CCAP to INSERT ANALYSIS 2

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

### INSERT BODY1

- (3) (a) The following persons, upon paying the fee specified in par. (e), shall have unlimited access to the information contained on the Wisconsin Circuit Court Access Internet Web site:
- 1. Justices, judges, magistrates, court commissioners, and other employees of state, federal, and municipal courts in Wisconsin who require access to court documents and records in the course of their employment.

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- 2. Law enforcement officers as defined in s. 941.299 (1) (c) and other employees of state, federal and municipal law enforcement agencies in Wisconsin who require access to court documents and records in the course of their employment.
- 3. Attorneys licensed to practice law in Wisconsin and their employees who require access to court documents and records in the course of their employment.
- 4. Members of the Wisconsin Newspapers Association, the Wisconsin Broadcasters Association, and any other Wisconsin media organization designated by the director of state courts.
- (b) Subject to par. (d), a person may have access to certain information on the Wisconsin Circuit Court Access Internet Web site if the person submits a request form that includes all of the following:
  - 1. The full name and address of the person.
- 2. The full name and address of the subject of the request or alternatively, the name or case number of the particular case involving the subject of the request.
- 3. The relationship, affiliation, or connection, if any, between the person and the subject of the request.
  - 4. A detailed statement of the purpose for the request.
- (c) The request form may be submitted to the clerk of courts or district attorney of the county where the person resides, the county where the subject of the request resides, or a county that is a venue for a case or proceeding that involves the subject of the request.
- (d) If the clerk of courts or district attorney to whom the request form is submitted under par. (c) determines that the request shows a reasonable need for information, the person shall be allowed access only to information on the Wisconsin Circuit Court Access Internet Web site that pertains to the subject of the request.

**(5)** 

publication.

(e) Annually, a person who seeks access to the information on the Wisconsin
Circuit Court Access Internet Web site under sub. (a) shall pay a \$10 fee to the clerk
of courts for the county where the person resides or is employed. The clerk of courts
shall transmit the fees to the department of administration for deposit in the general fund. $\overset{\circ}{\bigtriangleup}$
SECTION 1. Initial applicability.
(1) This act first applies to judgments, findings, or orders entered on the
effective date of this subsection.
(2) This act first applies to requests for information made on the effective date
of this subsection.
Section 2. Effective date.
(1) This act takes effect on the first day of the 5th month beginning after

(END)

AN ACT to create 758.20 of the statutes; relating to: the Consolidated Court

Automation Programs.

Analysis by the Legislative Reference Bureau

Under current law, the director of state courts established a consolidated electronic system. This system, known as the Consolidated Court Automation Programs (CCAP), contains information about civil and criminal cases filed in the circuit courts in this state, including information about the parties and their attorneys; documents filed; and deadlines, decisions, and outcomes of cases. CCAP also contains information on family court proceedings; probate proceedings; John Doe proceedings; reviews of certain administrative proceedings; tax warrants; mechanics', construction, condominium, or other types of liens; civil lawsuits; eviction proceedings; and domestic violence and other restraining orders and injunctions.

The information on CCAP is available an Internet Web site. The Web site has no limitations on who has access to the information, although information in certain types of cases is not available to the public. CCAP allows a user to search for all civil and criminal cases in which a person or entity, who is the subject of the search, has been a party.

Currently, the initial CCAP Web page for each criminal and traffic or other civil forfeiture case contains the following statements: 1) for each criminal and traffic or other civil forfeiture case, a statement that employers may not discriminate against persons because of arrest and conviction records, except in certain circumstances; 2) for each criminal and traffic or other civil forfeiture case that did not result in a

conviction or forfeiture, a statement that the charges were not proven and have no legal effect, and that the defendant is presumed innocent; and 3) for each traffic or other civil forfeiture case in which a forfeiture but no criminal conviction was imposed, a statement that the charge or charges in the case are not criminal offenses.

Under this bill, the director of state courts may only provide case information on CCAP after a court does one of the following: 1) makes a finding that a person is guilty of a criminal charge; 2) makes a finding that a person is liable in a civil matter; 3) orders a person to be evicted; or 4) issues a restraining order or an injunction against a person.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 758.20 of the statutes is created to read:

758.20 Consolidated court automation programs. (1) In this section, "Wisconsin Circuit Court Access Internet Web site" means the Web site of the consolidated court automation programs, which is the statewide electronic circuit court case management system established under s. 758.19 (4) and maintained by the director of state courts, that provides information regarding the cases heard in the circuit courts.

- (2) The director of state courts may not include in the Wisconsin Circuit Court Access Internet Web site any information about any case or charge until a court does one of the following:
  - (a) Enters a finding of guilt in a criminal matter.
  - (b) Enters a finding of liability in a civil matter.
  - (c) Enters an order of eviction.
  - (d) Issues a restraining order or an injunction against a person.

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Inserting J

Under this bill, only Wisconsin judges or other court officials, law enforcement personnel, attorneys, and accredited journalists, as well as persons who regularly deal with court documents in the course of their job duties have unlimited access to CCAP. The bill allows access to CCAP information for other persons at the discretion of a cierk of courts or district attorney. The bill requires a person who wishes to use CCAP to submit a written request that includes his or her full name and address, the full name and address of the person or entity subject to the request, the relationship, if any, between the requester and the subject of the request, and the purpose for the request. If the requester shows, subject to the discretion of the clerk of courts or district attorney, a reasonable purpose for the request, the requester will be granted limited access to CCAP for viewing information on the person or entity that is the subject of the request.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 758.20 of the statutes is created to read:

758.20 Consolidated court automation programs. (1) In this section, "consolidated court automation programs" means the statewide electronic circuit court case management system maintained by the director of state courts at the Wisconsin Circuit Court Access Internet Web site established pursuant to s. 758.19 (4).

- (2) (a) The following persons shall have unlimited access to the information contained in the consolidated court automation programs system:
- 1. Justices, judges, magistrates, court commissioners, and other employees of state, federal, and municipal courts in Wisconsin who require access to court documents and records in the course of their employment.
- 2. Law enforcement officers as defined in s. 941.299 (1) (c) and other employees of state, federal, and municipal law enforcement agencies in Wisconsin who require access to court documents and records in the course of their employment.

## Hurley, Peggy

From:

Kieper, Cynthia

Sent:

Tuesday, May 05, 2009 3:57 PM

To:

Hurley, Peggy

Subject:

LRB 2267/1

### Dear Peggy;

LRB 2267/1 appears to restrict the placement of case information until there are charges made whether they are criminal, liability in a civil matter, evictions, restraining orders, or injunctions. Because of this we no longer need the restriction of access to CCAP at the discretion of the clerk of courts or district attorney. The bill could just require the log on information of the parties and payment of the \$10.00 fee.

Cynthia L. Kieper

Office of State Representative Marlin Schneider

204 North, State Capitol

P.O. Box 8953 Madison, WI 53078 (608) 266-0215



# State of Misconsin 2009 - 2010 LEGISLATURE

LRB-226710 PJH:bjk:rs

# **2009 BILL**

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AN ACT to create 758.20 of the statutes; relating to: restricting access to and

limiting information contained in the Consolidated Court Automation

Programs.

## Analysis by the Legislative Reference Bureau

Under current law, the director of state courts established a consolidated electronic system. This system, known as the Consolidated Court Automation Programs (CCAP), contains information about civil and criminal cases filed in the circuit courts in this state, including information about the parties and their attorneys; documents filed; and deadlines, decisions, and outcomes of cases. CCAP also contains information on family court proceedings; probate proceedings; John Doe proceedings; reviews of certain administrative proceedings; tax warrants; mechanics', construction, condominium, or other types of liens; civil lawsuits; eviction proceedings; and domestic violence and other restraining orders and injunctions.

The information on CCAP is available for free on an Internet Web site. The Web site has no limitations on who has access to the information, although information in certain types of cases is not available to the public. CCAP allows a user to search for all civil and criminal cases in which a person or entity, who is the subject of the search, has been a party.

Currently, the initial CCAP Web page for each criminal and traffic or other civil forfeiture case contains the following statements: 1) for each criminal and traffic or other civil forfeiture case, a statement that employers may not discriminate against

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#### BILL

persons because of arrest and conviction records, except in certain circumstances; 2) for each criminal and traffic or other civil forfeiture case that did not result in a conviction or forfeiture, a statement that the charges were not proven and have no legal effect, and that the defendant is presumed innocent; and 3) for each traffic or other civil forfeiture case in which a forfeiture but no criminal conviction was imposed, a statement that the charge or charges in the case are not criminal offenses.

Under this bill, the director of state courts may only provide case information on CCAP after a court does one of the following: 1) makes a finding that a person is guilty of a criminal charge; 2) makes a finding that a person is liable in a civil matter; 3) orders a person to be evicted; or 4) issues a restraining order or an injunction against a person.

The bill also limits unrestricted access to CCAP to Wisconsin judges or other court officials, law enforcement personnel, attorneys, and accredited journalists. The bill allows access to CCAP information for other persons at the discretion of a clerk of courts or district attorney. The bill requires a person who wishes to use CCAP to submit a written request that includes his or her full name and address, the full name and address of the subject of the request, the relationship, if any, between the requester and the subject of the request, and the purpose for the request. If the person shows, subject to the discretion of the clerk of courts or district attorney, a reasonable purpose for the request, the person will be granted limited access to CCAP to view information on the subject of the request.

For further information see the **state** and **local** fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 758.20 of the statutes is created to read:

758.20 Consolidated court automation programs. (1) In this section, "Wisconsin Circuit Court Access Internet Web site" means the Web site of the consolidated court automation programs, which is the statewide electronic circuit court case management system established under s. 758.19 (4) and maintained by the director of state courts.

(2) The director of state courts may not include in the Wisconsin Circuit Court Access Internet Web site any information about any case or charge until a court does one of the following:

(a) Enters a finding of guilt in a criminal matter.

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1	(b) Enters a finding of liability in a civil matter.
2	(c) Enters an order of eviction.
3	(d) Issues a restraining order or an injunction against a person.
4	(3) (a) The following persons, upon paying the fee specified in par. (e), shall
5	have unlimited access to the information contained on the Wisconsin Circuit Court
6	Access Internet Web site 7 7 0000
7	1. Justices, judges, magistrates, court commissioners, and other employees of
8	state, federal, and municipal courts in Wisconsin who require access to court
9	documents and records in the course of their employment.
10	2. Law enforcement officers as defined in s. 941.299 (1) (c) and other employees
11	of state, federal, and municipal law enforcement agencies in Wisconsin who require
12	access to court documents and records in the course of their employment.
13	3. Attorneys licensed to practice law in Wisconsin and their employees who
14	require access to court documents and records in the course of their employment.
15	4. Members of the Wisconsin Newspapers Association, the Wisconsin
16	Broadcasters Association, and any other Wisconsin media organization designated
17	by the director of state courts.
18	(b) Subject to par. (d) a person who does not meet the requirements under par.
19	(a) may have access to certain information on the Wisconsin Circuit Court Access
(20)	Internet Web site if the person submits a request form that includes all of the
(21)	following: Provides her and pays and pays
(22)	1. The full name and address of the persons whe specified in the parties of the persons the specified in the
23	2. The full name and address of the subject of the request or alternatively, the
24	name or case number of the particular case involving the subject of the request.

SECTION 1 3. The relationship, affiliation, or connection, if any, between the person and  $\mathbf{2}$ the subject of the request. 4. A detailed statement of the purpose for the request. 3 (c) The request form may be submitted to the clerk of courts or district attorney 4 of the county where the person resides, the county where the subject of the request 5 resides, or a county that is a venue for a case or proceeding that involves the subject 6 7 of the request. (d) If the clerk of courts or district attorney to whom the request form is 8 submitted under par. (c) determines that the request shows a reasonable need for 9 information, the person shall be allowed access only to information on the Wisconsin 10 Circuit Court Access Internet Web site that pertains to the subject of the request. 11Annually, a person who seeks access to the information on the Wisconsin 12Circuit Court Access Internet Web site under sub (a) shall pay a \$10 fee to the clerk)  $\overline{13}$ of courts for the county where the person resides or is employed. The clerk of courts 14shall transmit the fees to the department of administration for deposit in the general 15 fund. 16 17 SECTION 2. Initial applicability. (1) This act first applies to judgments, findings, or orders entered on the 18 effective date of this subsection in serial 19 20

(2) This act first applies to requests for information made on the effective date of this subsection.

### SECTION 3. Effective date.

(1) This act takes effect on the first day of the 5th month beginning after 25 (4) The director of state courts shall make available an (END) option to provide online the information required under subo(3)(5) and to pay online the fee required under subo(3)(5) and to pay online the fee required under

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## 2009-2010 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

### **INSERT ANALYSIS:**

Under the bill, upon the written request of a person whose case information is currently available on CCAP, the director of state courts must remove any information relating to a case that did not result in a finding of criminal guilt civil > liability, or the issuance of a restraining order against the person.

—an order of evictions

### INSERT 1:

(5) A person may request, in writing, that the director of state court remove from the Wisconsin Circuit Court Access Internet Web site all information relating to a case or charge against the person. Upon receiving the request, the director of state courts shall remove the information if it does not meet the requirements under > sub. (2)(a) 244

## **INSERT 2:**

, except that a request made under s. 758.20 (5), as created by this act, applies to information available on the Wisconsin Circuit Court Access Internet Web site on the effective date of this subsection.

## Basford, Sarah

From:

Dumas, Aaron

Sent:

Friday, May 08, 2009 1:43 PM

To:

LRB.Legal

Subject:

Draft Review: LRB 09-2267/2 Topic: CCAP combination bill

Please Jacket LRB 09-2267/2 for the ASSEMBLY.

Thank you!

## Aaron Dumas

Office of Representative Marlin Schneider 72nd Assembly District Aaron.Dumas@legis.wisconsin.gov (608) 266-0215 Toll Free 1-888-529-0072 Capitol 204 North P.O. Box 8953 Madison, WI 53708



# State of Misconsin 2009 - 2010 LEGISLATURE

LRB-2267/2 (M)

## **2009 BILL**

Inserts)

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AN ACT to create 758.20 of the statutes; relating to: restricting access to and

limiting information contained in the Consolidated Court Automation

Programs (and providing a penalty)

## Analysis by the Legislative Reference Bureau

Under current law, the director of state courts established a consolidated electronic system. This system, known as the Consolidated Court Automation Programs (CCAP), contains information about civil and criminal cases filed in the circuit courts in this state, including information about the parties and their attorneys; documents filed; and deadlines, decisions, and outcomes of cases. CCAP also contains information on family court proceedings; probate proceedings; John Doe proceedings; reviews of certain administrative proceedings; tax warrants; mechanics', construction, condominium, or other types of liens; civil lawsuits; eviction proceedings; and domestic violence and other restraining orders and injunctions.

The information on CCAP is available for free on an Internet Web site. The Web site has no limitations on who has access to the information, although information in certain types of cases is not available to the public. CCAP allows a user to search for all civil and criminal cases in which a person or entity, who is the subject of the search, has been a party.

Currently, the initial CCAP Web page for each criminal and traffic or other civil forfeiture case contains the following statements: 1) for each criminal and traffic or other civil forfeiture case, a statement that employers may not discriminate against

persons because of arrest and conviction records, except in certain circumstances; 2) for each criminal and traffic or other civil forfeiture case that did not result in a conviction or forfeiture, a statement that the charges were not proven and have no legal effect, and that the defendant is presumed innocent; and 3) for each traffic or other civil forfeiture case in which a forfeiture but no criminal conviction was imposed, a statement that the charge or charges in the case are not criminal offenses.

Under this bill, the director of state courts may only provide case information on CCAP after a court does one of the following: 1) makes a finding that a person is guilty of a criminal charge; 2) makes a finding that a person is liable in a civil matter; 3) orders a person to be evicted; or 4) issues a restraining order or an injunction against a person.

The bill allows free access to CCAP to Wisconsin judges or other court officials, law enforcement personnel, attorneys, and accredited journalists. The bill allows access to CCAP information to any other person who pays a \$10 annual fee and registers his or her name and address with the director of state courts.

Under the bill, upon the written request of a person whose case information is currently available on CCAP, the director of state courts must remove any information relating to a case that did not result in a finding of criminal guilt or civil liability, an order of eviction, or the issuance of a restraining order against the person.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 758.20 of the statutes is created to read:

758.20 Consolidated court automation programs. (1) In this section, "Wisconsin Circuit Court Access Internet Web site" means the Web site of the consolidated court automation programs, which is the statewide electronic circuit court case management system established under s. 758.19 (4) and maintained by the director of state courts.

- (2) The director of state courts may not include in the Wisconsin Circuit Court Access Internet Web site any information about any case or charge until a court does one of the following:
  - (a) Enters a finding of guilty in a criminal matter.

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(b) Enters a finding of liability in a civil matter. 1 2 (c) Enters an order of eviction. (d) Issues a restraining order or an injunction against a person. 3 (3) (a) The following persons shall have access to the information contained on 4 the Wisconsin Circuit Court Access Internet Web site at no charge: 5 6 1. Justices, judges, magistrates, court commissioners, and other employees of state, federal, and municipal courts in Wisconsin who require access to court 7 8 documents and records in the course of their employment. 2. Law enforcement officers as defined in s. 941.299 (1) (c) and other employees 9 10 of state, federal, and municipal law enforcement agencies in Wisconsin who require access to court documents and records in the course of their employment. 11 3. Attorneys licensed to practice law in Wisconsin and their employees who 12 require access to court documents and records in the course of their employment. 13 14 4. Members of the Wisconsin Newspapers Association, the Wisconsin 15 Broadcasters Association, and any other Wisconsin media organization designated 16 by the director of state courts. 17 (b) A person who does not meet the requirements under par. (a) may have access 18 to the information on the Wisconsin Circuit Court Access Internet Web site if the 19 person provides his or her full name and address and pays the fee specified in par. men 2021 (c) Annually, a person who seeks access to the information on the Wisconsin 22 Circuit Court Access Internet Web site under par. (b) shall pay a \$10 fee to the 23 director of state courts. The director of state courts shall transmit the fees to the 24 department of administration for deposit in the general fund.

(4) The director of state courts shall make available an option to provide online
the information required under sub. (3) (b) and to pay online the fee required under
sub. (3) (c).

(5) A person may request, in writing, that the director of state courts remove from the Wisconsin Circuit Court Access Internet Web site all information relating to a case or charge against the person. Upon receiving the request, the director of state courts shall remove the information if it does not meet the requirements under sub. (2).

SECTION 2. Initial applicability.

- (1) This act first applies to judgments, findings, or orders entered on the effective date of this subsection, except that a request made under s. 758.20 (5), as created by this act, applies to information available on the Wisconsin Circuit Court Access Internet Web site on the effective date of this subsection.
- (2) This act first applies to requests for information made on the effective date of this subsection.

#### SECTION 3. Effective date.

(1) This act takes effect on the first day of the 5th month beginning after publication.

(END)

## 2009-2010 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

#### **INSERT ANALYSIS:**

The bill requires the director of state courts to keep a registry and log of each user who pays the annual fee that records the searches each user performs. Under the bill, if a user searches for a person's name on CCAP and subsequently denies the person employment, housing, or another public accommodation, the user must inform the person that he or she searched for the person's record on CCAP. A user who fails to do so may be fined \$14000.

#### INSERT A:

The director of state courts shall maintain a record of each person who has access under this paragraph that includes the person's name, address, and the name of each person about whom he or she requests information from the Wisconsin Circuit Court Access Internet Web site.

#### INSERT B:

(6) Any person who requests information from the Wisconsin Circuit Court Access Internet Web site shall inform the person who is the subject of the request that he or she sought information about that person if he or she denies that person employment, housing, or any public accommodation. Any person who intentionally fails to comply with this subsection shall be required to forfeit \$1,000 for each failure to comply.

## Hurley, Peggy

From:

Kieper, Cynthia

Sent:

Friday, May 08, 2009 4:46 PM

To:

Hurley, Peggy

Subject:

CCAP Bill LRB 2267/2

#### Peggy,

I just got off the phone with the Representative and he wanted to make one final change. He wants LRB 2267/1 to include any person using CCAP and denying housing, employment or public accommodations to inform the individuals that they have used CCAP to make the decision. This allows the person being denied these services to rebut the fact. I will be out of the office after Monday so questions can be directed to Aaron Dumas who has kept up to date on the changes in this bill. I will send the jacket back to you.

## Cynthia L. Kieper

Office of State Representative Marlin Schneider Room 204 North, State Capitol P.O. Box 8953 Madison, WI 53078 (608) 266-0215

\$1000 perally of pason denied that pot notifying was consulted pot coop of usons semiles keep log of usons semiles

### Barman, Mike

From:

Barman, Mike

Sent:

Thursday, May 21, 2009 12:08 PM

To:

Schneider, Marlin

Subject:

RE: Draft Review: LRB 09-2267/3 Topic: CCAP combination bill

Good morning,

Our records show this draft was "Jacketed" and sent to your office on May 20th (yesterday). Please let us know if you have trouble locating it.

Thanks,

Mike Barman (Senior Program Assistant)
State of Wisconsin - Legislative Reference Bureau Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov

----Original Message----From: Schneider, Marlin

Sent: Thursday, May 21, 2009 12:03 PM

To: LRB.Legal

Subject: Draft Review: LRB 09-2267/3 Topic: CCAP combination bill

Please Jacket LRB 09-2267/3 for the ASSEMBLY.